

199

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

**United States District Court
Southern District of Texas
ENTERED**

FEB 29 2000

Michael N. Milby 
By Deputy Clerk

EDWARD ALCALA, et. al.,

Plaintiffs,

V.

ALEX PEREZ, in his official capacity as Sheriff of Cameron County, Texas and Cameron County, Texas

CIVIL ACTION NO. B-96-203

ORDER

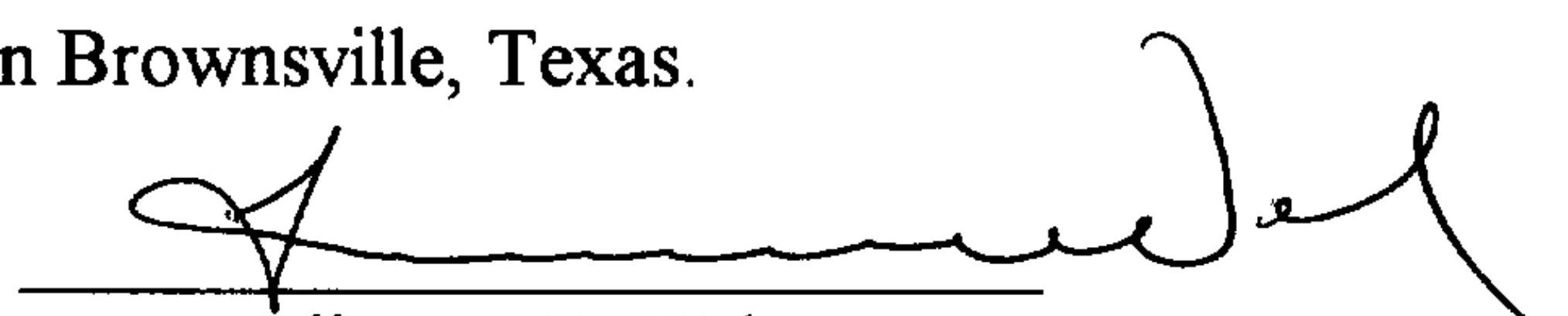
Before this Court for consideration is the Magistrate Judge's Report and Recommendation dated January 10, 2000 and the Magistrate Judge's Supplemental Report and Recommendation dated January 13, 2000 regarding the above entitled and numbered cause. After a *de novo* review of the entire file, it is the opinion of this Court that both the Magistrate Judge's Report and Recommendation and the Magistrate Judge's Supplemental Report and Recommendation should be ADOPTED.

Accordingly, it is ORDERED, ADJUDGED, and DECREED that both the Magistrate Judge's Report and Recommendation and the Magistrate Judge's Supplemental Report and Recommendation are ADOPTED.

It is further ORDERED, ADJUDGED, and DECREED that the Defendant's Motion for Summary Judgment be **GRANTED** to the extent that the Court finds that the law enforcement officers are not entitled to be paid for the time they worked between 160 hours (their regular

work schedule) and 171 hours (the point at which they are entitled to overtime under 29 U.S.C. §207 (k)). As a result of such ruling, the Court finds that the Plaintiffs addressed in Plaintiff's Motion for Partial Summary Judgment are subject to the partial exemption relating to overtime pursuant to 29 U.S.C. §207 (k), and, therefore, Plaintiff's Motion for Partial Summary Judgment is **DENIED**.

DONE this the 28th day of February, 2000 in Brownsville, Texas.



Filemon B. Vela
United States District Judge